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9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE CEMETERY AND FUNERAL BUREAU**
11 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. A1 2019 152

14 **RANDALL LESLIE INLOW**
15 **1206 Karen Court**
16 **Upland, CA 91786**

A C C U S A T I O N

17 **Funeral Director License No. FDR 1408,**
18 **Funeral Embalmer License No. EMB 8445**

Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Gina Sanchez (Complainant) brings this Accusation solely in her official capacity as
23 the Bureau Chief of the Cemetery and Funeral Bureau (Bureau), Department of Consumer
24 Affairs.

25 2. On or about October 6, 1998, the Bureau issued Funeral Director License No. FDR
26 1408 to Randall Leslie Inlow (Respondent). The Funeral Director License was in full force and
27 effect at all times relevant to the charges brought herein and will expire on October 31, 2019,
28 unless renewed.

3. On or about December 19, 1997, the Bureau issued Embalmer License No. EMB 8445 to Respondent. The Embalmer License was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2019, unless renewed.

JURISDICTION

4. This Accusation is brought before the Director of the Department of Consumer Affairs for the Bureau, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 7686 of the Code states:

The bureau may suspend or revoke licenses, after proper notice and hearing to the licensee, if the licensee has been found guilty by the bureau of any of the acts or omissions constituting grounds for disciplinary action. The proceedings under this article shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the bureau shall have all the powers granted therein.

6. Section 7686.5 of the Code states:

All accusations against licensees shall be filed with the bureau within two years after the performance of the act or omission alleged as the ground for disciplinary action; provided, however, that the foregoing provision shall not constitute a defense to an accusation alleging fraud or misrepresentation as a ground for disciplinary action. The cause for disciplinary action in such case shall not be deemed to have accrued until discovery by the bureau of the facts constituting the fraud or misrepresentation, and, in such case, the accusation shall be filed within three years after such discovery

STATUTORY PROVISIONS

7. Section 7692 of the Code states:

Misrepresentation or fraud in the conduct of the business or the profession of a funeral director or embalmer constitutes a ground for disciplinary action

8. Section 7707 of the Code states:

Gross negligence, gross incompetence or unprofessional conduct in the practice of funeral directing or embalming constitutes a ground for disciplinary action

REGULATORY PROVISION

9. California Code of Regulations, title 16, section 1252 provides in pertinent part:

For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a licensed funeral establishment, licensed funeral director, or licensed embalmer if to a substantial degree it evidences present or potential unfitness of a licensed funeral establishment, licensed funeral director, or licensed embalmer to

1 perform the functions authorized by his license in a manner consistent with the public
2 health, safety, or welfare.

3 COST RECOVERY

4 10. Section 125.3, subdivision (a), states, in pertinent part: "Except as otherwise provided
5 by law, in any order issued in resolution of a disciplinary proceeding before any board within the
6 department upon request of the entity bringing the proceedings may request the
7 administrative law judge may direct a licensee found to have committed a violation or violations
8 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
9 enforcement of the case."

10 FIRST CAUSE FOR DISCIPLINE 11 (Misrepresentation/Fraud)

12 11. Respondent is subject to disciplinary action under section 7692, in conjunction with
13 California Code of Regulations, title 16, section 1252, for fraud or misrepresentation in that while
14 employed at Bellevue Memorial Park, in Upland, California, Respondent used a company credit
15 card for unauthorized purchases. The circumstances are set forth below:

- 16 a. On or about June 2, 2016, a Decision and Order was issued by the California
17 Unemployment Appeals Board in *Bellevue Memorial Park employer and Randal Inlow*
18 *claimant*; Case No 5704507, in which it was found that Respondent was discharged for
19 "theft in that [Respondent] purchased cars, paid his DUI attorney, and engaged in other
20 conduct stealing from the employer." It was further found that the theft amounted to
21 approximately \$47,000.
- 22 b. Bellevue Memorial Park submitted a claim to its insurance company for its losses in
23 which it submitted an audit demonstrating that Respondent used a company credit card
24 for personal purchases such as food, cars, insurance, legal services, plastic surgery and
25 for products outside business interests. Travelers Insurance paid the claim in the
26 amount of \$55,000.

SECOND CAUSE FOR DISCIPLINE
(Unprofessional Conduct)


12. Respondent is subject to disciplinary action under section 7707, in conjunction with California Code of Regulations, title 16, section 1252 in that Respondent engaged in unprofessional conduct as set forth above in paragraphs 9 (a) and (b).

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director of the Department of Consumer Affairs issue a decision:

1. Revoking Funeral Director License No. FDR 1408, issued to Randall Leslie Inlow;
2. Revoking Embalmer License No. EMB 8445, issued to Randall Leslie Inlow;
3. Ordering Randall Leslie Inlow to pay the Cemetery and Funeral Bureau the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
4. Taking such other and further action as deemed necessary and proper.

DATED: 06/05/19


GINA SANCHEZ
Bureau Chief
Cemetery and Funeral Bureau
Department of Consumer Affairs
State of California
Complainant

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